

APPROVED 11-14-16
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Special Meeting of the Planning & Zoning Commission meeting held on Tuesday, October 4, 2016 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Ronald D. Penton, Vice-Chairman
Curtis D. Andrews, Secretary
James J. Giulietti
Theresa Ranciato-Viele
Edward M. Homa, Alternate
Richard E. Wilson, Alternate

MEMBERS ABSENT: None

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
Jennifer Coppola, Town Counsel
Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Carlson, Chairman, opened the meeting at 7:02 p.m. Then, he introduced the Commissioners, town staff and the stenographer and asked Mr. Fredricksen if there were any changes to the agenda. Mr. Fredricksen stated that application #P16-24 has been postponed.

PUBLIC HEARINGS:

1. #P16-24 Application of Bernard Pellegrino, Esquire, Applicant, proposed Amendment to the North Haven Zoning Regulations, to add Section 8.8.8, to allow Outdoor Advertising Signs. The proposed amendment is on file in the Land Use Office and the Office of the Town Clerk.

This application has been postponed to the November 14, 2016 meeting.

Mr. Andrews, Secretary, read the call for the first Public Hearing:

The Commission elected to hear applications #P16-25 and #P16-25A together.

2. #P16-25 Excavation Permit Application of 392 State Street Realty, LLC, Applicant & Owner, relative to 392 State Street, (Map 26, Lot 44). Plan Entitled: Whitewood Pond Apartments Ponds Maintenance, 392 State Street, North Haven, Connecticut. Prepared by Fuss & O'Neill. Dated August 25, 2016. Scale: 1"=30'. CB-40/R-20 Zoning Districts.
5. #P16-25A CAM Application of 392 State Street Realty, LLC, Applicant & Owner, relative to 392 State Street, (Map 26, Lot 44). Plan Entitled: Whitewood Pond Apartments Ponds Maintenance, 392 State Street, North Haven, Connecticut. Prepared by Fuss & O'Neill. Dated August 25, 2016. Scale: 1"=30'. CB-40/R-20 Zoning Districts.

Attorney John Lambert of 25 Trumbull Place, North Haven and Mr. Phil Forzley of Fuss & O'Neill presented the applications intended to permit the removal of accumulated sediment from two (2) existing ponds. Approximately 850 cubic yards of material is expected to be removed. The Inland Wetlands Commission approved a Permit to Conduct Regulated Activity and a Positive Referral (#I16-09) at their 28 September 2016 meeting. The CAM Application is required because the easternmost portion of the site lies within the Coastal Boundary. The Commission asked questions and Mr. Forzley responded.

Mr. Carlson asked for public comment. There being no public comment, the Public Hearing was closed.

Mr. Andrews, Secretary, read the call for the second Public Hearing and then Mr. Penton recused himself from this application and Mr. Homa sat.

3. #P16-26 Site Plan Application of North Haven Housing Authority, Applicant & Owner, relative to 555 Pool Road, (Map 86, Lot 15). Plan Entitled: Temple Pine, 555 Pool Road, North Haven, Connecticut. Prepared by Schadler Selnau associates, P.C. Dated: September 07, 2016. Scale: 1"=20'. R-12/R-20 Zoning Districts.

Attorney John Lambert of 25 Trumbull Place, North Haven, presented the application to permit the construction of fifty (50) new, affordable, age restricted dwelling units on this 3.31 acre North Haven Housing Authority owned property. The proposed building is "L" shaped, three stories in height with hip roofs and gabled dormers.

Twenty two (22) one bedroom units are proposed with twenty eight (28) two bedroom units. The proposed building is located in the northwest corner of the property and would connect to the north side of the existing building on the site via a single story enclosed hallway and vestibule. The existing building is three stories in height and contains thirty (30) affordable, age restricted units. The Commission asked questions and Attorney Lambert responded.

Mr. Paul Selnau, Architect with Schadler Associates, and Mark Fisher of TO Design, LLC described the proposed site plan and then Mr. Selnau discussed the architectural design. The Commission asked questions and Mr. Selnau responded. Mrs. Ranciato-Viele asked questions regarding parking and if a traffic study report was submitted. Mr. Giuliatti has concerns with parking and the height of the proposed new building. Mr. Homa has concerns with the application not being reviewed by the Police Department.

Mr. Christopher DeAngelis, Civil Engineer of Cabezas DeAngelis Engineers and Surveyors, described the proposed drainage system. The Commission asked questions and Mr. DeAngelis responded. Mr. Giuliatti has concerns with drainage on Pool Road which already has drainage issues. Mr. DeAngelis explained that the rate of water and volume will be reduced by 60 percent. Mr. Homa feels the parking may be inadequate. Attorney Lambert further addressed the drainage and parking concerns with the Commission. Mr. Richard Lopresti, Chairman of the North Haven Housing Authority, explained to the Commission how this proposal came forward, the purpose of this proposal, how it will be funded, and the timeline of the project. The Commission asked questions and Mr. Lopresti responded. Then, Mr. Selnau and Mr. Lopresti answered further questions from the Commission.

Mr. Carlson asked for public comment.

Public Comment:

1. Marise Karmpovitis, 555 Pool Road, feels North Haven needs more senior housing and is in favor of age restricted housing. She stated that some of the elderly housing in town has now become non-compliant.
2. Anne McKeon, Director of the North Haven Housing Authority for 39 years, stated that she sees a great need for additional senior housing and then she answered questions from the Commission.
3. Tom White, 67 Summer Lane, explained that when an affordable housing application gets denied it will most likely get approved if it goes to court and feels this project is probably much less intrusive than a proposal offered by a private developer who could propose something worse.
4. Kevin Smith, 121 Temple Pines, Housing Authority Commissioner, stated that these apartments are in deplorable condition and the Housing Authority has no money to renovate them.
5. Scott Leamon, 47 Temple Street, feels the public has not had enough time to review the plans.
6. Carol Geleneau, 37 Temple Street, stated that the neighbors across the street from her were not notified of prior meetings and, at a prior meeting, she was only asked to vote whether or not she was in favor of age restricted or non-age restricted housing developments. She feels the proposed new building is too high and has concerns with light trespass. She asked that this application not be pushed through Planning and Zoning. She also has concerns with emergency situations and asked for EMS reports.
7. M.J. Davenport, 571 Pool Road, is not in favor of the proposed height of the building and has traffic safety concerns. She is in favor of senior housing but feels more time is needed to review the plans.

8. Scott Donaldson, 43 Temple Street, explained that about only 30 people attended the meeting held at the Housing Authority and felt not enough people were notified. He has concerns with drainage, the height of the building, light trespass and increased traffic. He asked to see a traffic study report. He also has concerns with additional noise when the dumpster has to be emptied. He asked the Commission not to approve the application at this time.
9. Anne McKeon, Director of the North Haven Housing Authority, stated that approximately 270 to 300 neighbors were notified by mail of prior meetings.
10. Kevin Rossi, 555 Pool Road, supports the project only if additional parking and handicapped spaces are provided. He feels that the parking is insufficient. He also stated that when snow is cleared, at Temple Pines, there are less parking spaces available and this may be the same situation with the new building.
11. Randolph Buccelli, 51 Temple Street, has traffic and drainage concerns and feels this proposed new building is too large and does not conform with the neighborhood.
12. Phyllis Kirby, 536 Pool Road, 60 year resident, has drainage concerns and stated that her property and house floods. She is in favor of senior housing but feels this development is not appropriate for this location. She also has concerns with parking.

Attorney Lambert asked to continue the Public Hearing to a special meeting due to time constraints with the project and answered further questions from the Commission. Then, Mr. Lopresti stated that the public was notified and they met with neighbors at prior meetings.

Mr. Carlson asked to keep this Public Hearing open. Mr. Giuliatti moved to keep the Public Hearing open; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giuliatti – aye Ranciato-Viele – aye Homa - aye

BREAK: 9:27 – 9:38 PM

Mr. Andrews read the call for the last Public Hearing:

4. #P16-27 Resubdivision Application of Bennett & Smilas Associates, Inc., Applicant, Margaret Cloutier, Owner, for two (2) lots, relative to 117 Upper State Street, (Map 83, Lot 72). Plan Entitled: Record Resubdivision Map, Land Now or Formerly Margaret A. Cloutier, 117 Upper State Street, North Haven, Connecticut. Prepared by Bennett & Smilas Associates, Inc. Dated August 19, 2016. Scale: 1"=40'. R-40 Zoning District.

Mr. Mike Bennett of Bennett & Smilas, Associates, Inc. presented the application to permit the resubdivision of this approximately 4.9 acre parcel into two (2) residential building lots. The existing house and shed on the property would remain on lot #1, which would become approximately 2.1 acres. A Conservation Easement is proposed for approximately 1.9 acres of the land, spanning both lots, to protect it from future construction activities and undesired uses.

The Inland Wetlands Commission approved a Permit to Conduct Regulated Activity and a Positive Resubdivision Referral (#I16-10) at their 28 September 2016 meeting. Mr. Bennett asked to have the sidewalks waived because they are on the other side of the street. Mr. Giulietti would like to have sidewalks due to sightline safety concerns. The Commission asked questions and Mr. Bennett and Mr. Fredricksen responded.

Mr. Carlson asked for public comment:

Public Comment:

1. Bruce Dumeline, 114 Upper State Street, has concerns with blasting impacting stone foundations. He also has traffic safety concerns with the sightline. He asked about the use of the existing driveway to access the rear lot.
2. Tom Flannery, 109 Upper State Street, asked if the tree line buffer will be removed. He is favor of installing sidewalks and feels it will help with the sightline issue. He would like to see the driveway installed further to the north, away from his property line.

Mr. Bennett responded to the public comment. There being no further questions, the Public Hearing was closed.

DELIBERATION SESSION:

Mr. Andrews moved to go into deliberations; Mrs. Ranciato-Viele seconded the motion. All were in favor.

PUBLIC HEARINGS:

2. #P16-25 Excavation Permit Application of 392 State Street Realty, LLC, Applicant & Owner, relative to 392 State Street.

Mrs. Ranciato-Viele moved to approve the application; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with appropriate conditions.

4. #P16-27 Resubdivision Application of Bennett & Smilas Associates, Inc., Applicant, Margaret Cloutier, Owner, for two (2) lots, relative to 117 Upper State Street.

Mrs. Ranciato-Viele moved to approve the application with the required street sidewalks; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with conditions.

SITE PLANS:

5. #P16-25A CAM Application of 392 State Street Realty, LLC, Applicant & Owner, relative to 392 State Street.

Mrs. Ranciato-Viele moved to approve the application; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

The application was approved with appropriate conditions.

OTHER:

-#P16-04, 475 Washington Avenue

Mr. Fredricksen, Land Use Administrator, explained the minor site plan modifications being requested. He stated that the applicant is requesting to relocate a handicapped ramp and loading space to the eastern side of the site.

Mrs. Ranciato-Viele moved to approve the site plan modifications for application #P16-04, 475 Washington Avenue; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

EXTENSIONS:

-#P16-01, 1164 & 1168 Hartford Turnpike

Mr. Giulietti moved to approve a second ninety (90) day extension for application #P16-01, 1164 & 1168 Hartford Turnpike; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

BONDS:

-#P15-29, 67 Defco Park Road

Mrs. Ranciato-Viele moved to release the entire bond for application #P15-29, 67 Defco Park Road in the amount of \$15,000.00; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

-#P94-66, 3359 Dixwell Avenue

Mrs. Ranciato-Viele moved to release the entire bond for application #P94-66, 3359 Dixwell Avenue, in the amount of \$2,500.00; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

-#P15-19, 85 Sackett Point Road

Mrs. Ranciato-Viele moved to release the entire bond for application #P15-19, 85 Sackett Point Road, in the amount of \$5,000.00; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

-#P15-20, 560 Universal Drive North

Mrs. Ranciato-Viele moved to release the entire bond for application #P15-20, 560 Universal Drive North, in the amount of \$5,000.00; Mr. Penton seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye

CHANGE OF USE:

- 101 Powdered Metals Road

Mr. Paul Dellostritto, applicant, explained the change of use from warehouse to a sports training facility.

Mrs. Ranciato-Viele moved to approve the change of use from warehouse to a sports training facility; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye

CORRESPONDENCE: None

MINUTES:

- August 1, 2016

Mrs. Ranciato-Viele moved to approve the August 1, 2016 meeting minutes; Mr. Andrews seconded the motion. The Commission voted as follows:

Andrews – aye Ranciato-Viele – aye Homa – aye Wilson – aye

-September 12, 2016

Mrs. Ranciato-Viele moved to approve the September 12, 2016 meeting minutes; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Penton – aye Giulietti – aye Ranciato-Viele – aye Wilson – aye

EXECUTIVE SESSION:

Mr. Andrews read the following items into the record and Attorney Jennifer Coppola discussed the matter with the Commission and Town staff.

1. Discuss the status of the pending litigation and proposed settlement in John Coassin, et al. v. North Haven Planning and Zoning Commission, and possible action relating to same.
2. Consider whether to convene in executive session to discuss the status of pending litigation and proposed settlement in John Coassin, et al. v. North Haven Planning and Zoning Commission.

Mr. Giulietti moved to authorize Attorney Jennifer Coppola, Town Counsel, to execute the settlement agreement to the pending litigation in John Coassin, et al. v. North Haven Planning and Zoning Commission; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye Homa – aye

ADJOURN:

There being no further business, Mr. Giulietti moved to adjourn; Mr. Andrews seconded the motion. The meeting was adjourned at 10:32 PM.